

### **REMARKS/ARGUMENTS**

Applicant thanks the Examiner for the allowance of claims 36-44 and finding claims 4-5, 7, 10, 13-24, 27, 29-31 and 35 to be allowable if rewritten as independent claims.

The Examiner has rejected claims 1-3, 6, 9, 11-12, 25-26, 28, and 32-34 under 35 U.S.C. §102(e) as being anticipated by Gidwani (U.S. 6,640,239) and claim 8 under 35 U.S.C. §103(a) as being unpatentable over Gidwani in view of Wu.

The cited references fail to teach or suggest at least the italicized features of independent claims 1 and 32:

1. A network switch for switching transaction requests among a plurality of servers, the network switch being positioned between the plurality of servers and at least one client, comprising:

a parser operable to parse transaction requests to locate one or more selected fields;

a router operable to forward at least portions of the transaction requests to respective servers in the plurality of servers and transaction responses of the respective servers to the transaction requests to respective clients; and

*a tag generator operable to generate a tag associated with a selected server in the plurality of servers and include the tag in a transaction response received from the selected server, the transaction response comprising information requested by a transaction request and a cookie generated by the selected server, whereby, when a subsequent transaction request is received from the client corresponding to the tagged transaction request, the subsequent transaction request includes the tag and the cookie and, based on the tag, the router forwards the subsequent transaction request to the selected server.*

32. A system, comprising:

a communications network;

a plurality of replicated servers connected to the network, *all of the replicated servers having a same network address and all of the replicated servers serving the same replicated information*, each of the replicated servers being configured to receive a first transaction request associated with an individual transaction and to provide a response to the first transaction request, *the response including a first tag*

*that corresponds to the transaction, the first tag being a cookie generated by a first replicated server; and*

*a network switch connecting the replicated servers to the network, the network switch being configured to generate a second tag associated with the first replicated server, to append the second tag to the first tag in the response, and to direct to the first replicated server subsequently received transaction requests including the first and second tags.*

Gidwani is directed to an intelligent, scalable switching network. The invention provides a unified Internet portal server (UIP server) having multi-line capability, and a unified Internet portal client (UIP client) incorporating functionality of a Customer Premise Equipment (CPE) DSL Modem. The UIP client is capable of communicating with the UIP server via a network to provide a service to a subscriber using the UIP client. According to the invention, the UIP server comprises a single server chassis incorporating all of a plurality of processing elements. Additionally, the UIP server is located remotely from a subscriber location and is capable of providing a plurality of services using a digital subscriber line (DSL). The UIP client is located at the subscriber location and is capable of deploying DSL capability on a single communications line.

The Examiner asserts that the claimed generated tag is the same as the event tag of Gidwani. The event tag is not used in routing transaction requests or responses as in claims 1 and 32 but rather in determining what service to provide to the sender. (*See, e.g.*, Gidwani at col. 9, line 26 to col. 10, line 4 (describing the routing process).) An event is defined as “any processable piece of data delivered to the unified Internal portal messaging system with the intent of causing a follow-up action.” The specific action is configured by the subscriber. (*Id.* at col. 58, lines 4-8.) The types of events include a page event 1178, a manage event 1188, receive event 1180, a view event 1182, a

reply event 1184, a compose event 1186, a stock (quote or name) event 1186, a personal option event, a customize event 1190, a management option event 1189, a delete event 1194, an authorization event 1196, a security event 1198, and an add event 1192. (*Id.* At cols. 57-59.) The event tag makes it possible to deliver variable classes of services. Figs. 25a and 25b outline the bandwidth on demand event tag mechanism and the event based debit charge and monthly billing model associated with the bandwidth on demand event tag. (*Id.* At col. 60, line 66 to col. 61, line 5.) Factors that enter into the bandwidth on demand event tag include service class category, service carrier 1354, and length of service 1352. When a specific service is requested, a number of parameters are logged within an event tag, which represents the cost of the carrier. The event tag is finally used to compute the eventual service cost to the subscriber, based on the agreement contract between the subscriber and the service provider. (*Id.* at col. 61, lines 40-45.)

Independent claim 11 has been amended to include the limitations of allowable dependent claim 13, and independent claim 25 to include the limitations of allowable dependent claim 27.

Accordingly, the pending claims are allowable.

The dependent claims provide further bases for allowance.

By way of example, the Examiner has found numerous dependent claims to be allowable if restated as independent claims.

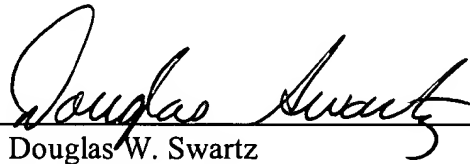
Applicant has added new claims 45-56. Independent claim 45 is a combination of independent claim 11 and allowable dependent claim 16 and independent claim 54 of independent claim 25 and allowable dependent claim 29.

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*Reply to Office Action of Nov. 12, 2004*  
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Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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